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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

928 ANTICIPATORY BAIL APPLICATION NO.1436 OF 2021

SANTOSH BHANUDAS DANVE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Abhaysinh K. Bhosle
APP for Respondents: Mr. A.V. Deshmukh

CORAM : PRAKASH D. NAIK.

DATE : 16th DECEMBER, 2021.

PER COURT:

1] The applicants are apprehending arrest in crime No. 167 of 2021 registered with Hasnabad Police station, Dist. Jalna for the offence under section 307, 353, 332 r/w. 34 of IPC.

2] The complainant is a police constable. He was on duty alongwith other public servants. They intercepted the vehicle with sand. The applicants were traveling in Hyva Truck. The applicant No.3 was at the Driver's seat. He attempted to run over the complainant. The complainant managed to save his life. All the accused assaulted the complainant by fist and kick blows.

3] The learned counsel for the applicant submits that the case is false. There was no attempt to run over. The vehicle is already seized. The vehicle does not belong to the applicant. Custodial interrogation is not necessary.

4] The learned APP, however, submits that there are eye witnesses to the incident. The complainant had sustained injuries. The applicant No.3 was driving the vehicle and he tried to run over the complainant.

(2)

5] Since the court was not inclined to grant relief to applicant No.3 Vikas Sandip Danwe, the learned counsel for applicants, on instructions seeks permission to withdraw his application. However, considering the factual aspects, relief of pre-arrest bail can be granted to applicant Nos. 1 and 2.

ORDER

- i] Anticipation bail application No. 1436 of 2021 is partly allowed.
- ii] Application of applicant No.3 is allowed to be withdrawn.
- iii] Application qua applicant Nos. 1 and 2 is allowed.
- iv] In the event of arrest of the applicant Nos. 1 and 2 in Crime No.169 of 2021, registered with Hasnabad Police station, District Jalna , the applicant Nos. 1 and 2 be released on executing PR Bond in the sum of Rs. 20,000/- each, with one or more sureties in the like amount.
- v] The applicant Nos. 1 and 2 shall appear before the I.O. on 27th and 28th December, 2021 between 11.00 a.m. to 1.00 p.m. and thereafter as and when called till filing of charge sheet.
- vi] The application stands disposed of accordingly.

**[PRAKASH D. NAIK]
JUDGE.**

grt/-